



**United States Department of Justice**

*United States Attorney  
Northern District of New York*

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September 30, 2019

Hon. Thomas J. McAvoy  
Senior U.S. District Judge  
Federal Building and U.S. Courthouse  
15 Henry Street  
Binghamton, New York 13901

**Re: United States v. Kyle Caton  
Criminal No: 19-CR-245 (TJM)**

Dear Judge McAvoy:

Attached is a proposed Preliminary Order of Forfeiture concerning property to be forfeited from the named defendant, *Kyle Caton*, in the above-referenced case.

The Order applies the process set forth in both Fed. R. Crim. P. 32.2 and the applicable forfeiture statutes, in this instance 18 U.S.C. § 2253. I am also providing defense counsel with a copy of the proposed Order. I do not anticipate any response, nor is one necessary, from defense counsel. I respectfully request that Your Honor sign this Order on or after ten days following the date of this letter, so as to provide defense counsel ample advance notice of the form and content of this proposed Order.

Once the ten days from the above date has elapsed, I respectfully request that you execute this Preliminary Order of Forfeiture and, once executed, cause the Order to be filed and return to me an electronically certified copy of this Order.

Respectfully submitted,

GRANT C. JAQUITH  
United States Attorney

By: /s/ Emily C. Powers  
Emily C. Powers  
Assistant United States Attorney  
Bar Roll No. 5139205

ECP/jdt  
Attachment  
cc: Derrick T. Hogan, Esq., *via* ECF